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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/527,363	03/10/2005	Jerome J. Segal	DMNZ 2 00045	4955

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EXAMINER	
BOCHNA, DAVID	

ART UNIT	PAPER NUMBER
3679	

DATE MAILED: 11/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/527,363	SEGAL ET AL.	
	Examiner	Art Unit	
	David E. Bochna	3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-23 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-23 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 8-11 and 18-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Foti.

In regard to claim 1, Foti discloses a length of flexible tubing 334 having a plurality of corrugations and an integrally formed (please note that the term "integral" does not require a unitary one-piece structure. In re Kohno, 391 F.2d 959, 157 USPQ 275 (CCPA 1968); In re Larson, 340 F.2d 965, 144 USPQ 347 (CCPA 1965)), and substantially non-corrugated tubing end 364;

an end fitting 332 rotatably supported on said tubing end;

a sealing member 400 compressively positioned between said tubing end and said end fitting; and,

a retainer 404 extending from said tubing end and engaging said end fitting preventing the axial removal of said end fitting from said tubing end.

In regard to claim 8, wherein said tubing end includes a radially inwardly extending annular groove, and at least a portion of said retainer 404 is received within said annular groove of said tubing end.

In regard to claim 9, wherein said end fitting includes a radially outwardly extending annular groove, and at least a portion of said retainer 404 is received within said annular groove of said end fitting.

In regard to claim 10, wherein said retainer 404 is a removable retaining ring.

In regard to claim 11, Foti discloses a fluid line connector assembly comprising:

a length of flexible tubing 334 having a plurality of corrugations and an integrally formed (please note that the term "integral" does not require a unitary one-piece structure. In re Kohno, 391 F.2d 959, 157 USPQ 275 (CCPA 1968); In re Larson, 340 F.2d 965, 144 USPQ 347 (CCPA 1965)), and substantially non-corrugated tubing end 364;

an end fitting 332 having an inside wall at least partially defining a passage through said end fitting, said passage adapted to receive said tubing end such that said end fitting is rotatably supported thereon;

a sealing member 400 sealingly disposed between said tubing end and said end fitting; and,

a retainer 404 extending radially outwardly from said tubing end beyond said inside wall of said end fitting such that said end fitting is axially retained on said tubing end.

In regard to claim 18, wherein said tubing end includes a radially inwardly extending annular groove, and said retainer 404 is at least partially received within said annular groove of said tubing end.

In regard to claim 19, wherein said end fitting 332 includes a radially outwardly extending annular groove, and said retainer 404 is at least partially received within said annular groove of said end fitting.

3. Claims 1-2, 5-6, 11-12 and 15-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Epstein.

In regard to claim 1, Epstein discloses a length of flexible tubing 10 having a plurality of corrugations and an integrally formed and substantially non-corrugated tubing end 30;

an end fitting 12 rotatably supported on said tubing end;

a sealing member 23 compressively positioned between said tubing end and said end fitting; and,

a retainer 30 extending from said tubing end and engaging said end fitting preventing the axial removal of said end fitting from said tubing end.

In regard to claim 2, the retainer 30 is integrally formed on the tubing end.

In regard to claim 5, the end fitting includes a radially outwardly extending annular groove (spaced between 21 and first inner thread) and the retainer 30 extends into the annular groove.

In regard to claim 6, the retainer 30 is a projection extending outwardly from the tubing end.

In regard to claim 11, Epstein discloses a fluid line connector assembly comprising:

a length of flexible tubing 10 having a plurality of corrugations and an integrally formed and substantially non-corrugated tubing end;

an end fitting 12 having an inside wall at least partially defining a passage through said end fitting, said passage adapted to receive said tubing end such that said end fitting is rotatably supported thereon;

a sealing member 35 sealingly disposed between said tubing end and said end fitting;

and,

a retainer 30 extending radially outwardly from said tubing end beyond said inside wall of said end fitting such that said end fitting is axially retained on said tubing end.

In regard to claim 12, the retainer 30 is integrally formed on the tubing end.

In regard to claim 15, the retainer 30 is an outwardly extending projection.

In regard to claim 16, the projection 30 is an annular projection.

In regard to claim 17, the end fitting 12 includes a radially outwardly extending annular groove (space between 21 and first inner thread), and the projection is received within the annular groove.

4. Claims 1-4, 11-14, 20-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Baron.

In regard to claim 1, Baron discloses a length of flexible tubing 12 having a plurality of corrugations and an integrally formed and substantially non-corrugated tubing end 12;

an end fitting 22 rotatably supported on said tubing end;

a sealing member 16 compressively positioned between said tubing end and said end fitting; and,

a retainer 30 extending from said tubing end and engaging said end fitting preventing the axial removal of said end fitting from said tubing end.

In regard to claim 2, the retainer 30 is integrally formed on the tubing end.

In regard to claim 3, the retainer 30 includes a radially outwardly extending flared portion.

In regard to claim 4, the flared portion 30 is substantially frustoconical.

In regard to claim 11, Baron discloses a fluid line connector assembly comprising:

a length of flexible tubing (12 in fig. 1) having a plurality of corrugations and an integrally formed and substantially non-corrugated tubing end 12 in fig. 3;

an end fitting 22 having an inside wall at least partially defining a passage through said end fitting, said passage adapted to receive said tubing end such that said end fitting is rotatably supported thereon;

a sealing member 16 sealingly disposed between said tubing end and said end fitting; and,

a retainer 30 extending radially outwardly from said tubing end beyond said inside wall of said end fitting such that said end fitting is axially retained on said tubing end.

In regard to claim 12, the retainer 30 is integrally formed on the tubing end.

In regard to claim 13, the retainer 30 is a radially outwardly extending flared portion of the tubing end.

In regard to claim 14, the flared portion 30 is substantially frustoconical.

In regard to claim 20, Baron disclose a method of assembling a fluid line connector assembly comprising the steps of:

a) providing a length of flexible tubing 12 in fig. 1 having a plurality of corrugations, an integrally formed and substantially non-corrugated tubing end (12 in fig. 3), an end fitting 22 having an inside wall at least partially forming a passage through said end fitting, and a sealing member;

b) installing said sealing member 16 on one of said tubing end and said end fitting;

c) installing said end fitting 22 on said tubing end such that said passage receives said

tubing end and said sealing member is compressively positioned between said tubing end and said end fitting; and,

d) forming a retainer 30 on said tubing end to axially retain said end fitting thereon.

In regard to claim 21, wherein said step d) includes radially outwardly displacing a portion 30 of said tubing end to form said retainer.

In regard to claim 22, wherein said retainer 30 is substantially frustoconical.

In regard to claim 23, wherein said end fitting 22 includes a radially outwardly extending groove (larger bore between 26 and 24), and said retainer 30 is formed into said groove.

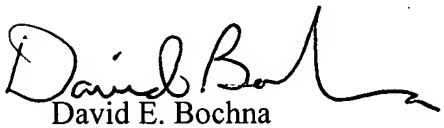
Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Furata, McCurdy et al., Kertesz, Halstead, Wilson, Gansel et al., Stedman et al., Thomas, Blumenberg, Longfellow, Baron, White, Tillery and Lake all disclose similar couplings common in the art.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. Bochna whose telephone number is (571) 272-7078. The examiner can normally be reached on 8-5:30 Monday-Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



David E. Bochna
Primary Examiner
Art Unit 3679